

REMARKS/ARGUMENTS

Present Invention and Pending Claims

Claims 19-22 and 35-45 are pending and directed to a compound (claims 19 and 20), a composition (claims 21 and 22), and methods of preparing a compound of formula (1) (claims 35-45).

Summary of the Claim Amendments

Claims 31-34 have been canceled, and claims 1-18 and 23-30 had been canceled previously. No new matter has been added by way of these amendments.

Summary of the Office Action

Claims 31-34 have been rejected on the grounds of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims 8-17 of U.S. Patent 6,753,346 ("the '346 patent"). Claims 31-34 also have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly lacking enablement. Claims 19-22 and 35-45 have been deemed allowable. Reconsideration of the pending claims is hereby requested.

Discussion of the Obviousness-type Double Patenting Rejection

The Office has rejected claims 31-34 for obviousness-type double patenting in view of the '346 patent. To advance prosecution and not in acquiescence of the rejection, claims 31-34 have been canceled. Accordingly, the obviousness-type double patenting rejection of claims 31-34 has been rendered moot.

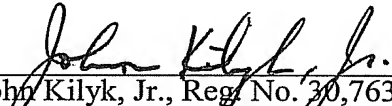
Discussion of the Written Description Rejection

The Office objects to claims 31-34 for failing to comply with the written description requirement. To advance prosecution and not in acquiescence of the rejection, claims 31-34 have been canceled. Accordingly, this rejection has been rendered moot.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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